

IN THE DISTRICT COURT OF GUAM  
TERRITORY OF GUAM

Roland Abisia  
Petitioner,

v.

United States of America

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CR/96-00089

CV-05-00041

**FILED**  
DISTRICT COURT OF GUAM

DEC 27 2005

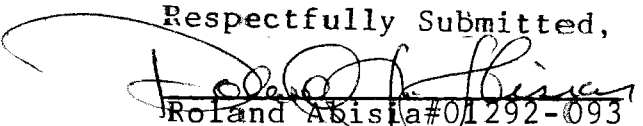
MARY L.M. MORAN  
CLERK OF COURT

\* \* \* \* \*  
MOTION TO PRESERVE A BOOKER CLAIM

Comes now the petitioner Roland Abisia pro se, humbly and respectfully files this motion preserving a "Booker" claim in the event that the Supreme Court declare Booker, retroactive for collateral review.

The petitioner's understanding is that the Supreme Court will determine whether Booker, is retroactive for collateral review sometime within the next year. Moreover, that petitioner should file his claim for relief by January 12, 2006. Petitioner files this motion at this time so that he will not be "time-barred" from raising this claim at a later time. Petitioner contends that his sentence and conviction is in violation of the Sixth Amendment.

Respectfully Submitted,

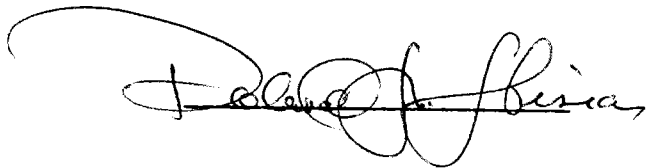
  
Roland Abisia #01292-093  
Federal Correctional Inst.  
1900 Simler Avenue  
Big Spring Texas 79720  
Sunrise Unit

**ORIGINAL**

CERTIFICATE OF SERVICE

I hereby Certify and declare that a true and accurate copy of the foregoing motion to preserve a Booker Claim was mailed First Class Mail on this 12<sup>TH</sup> day of DECEMBER 2005, to the following parties below:

Assistant United States Attorney  
Mark Kondas, Suite 502 A. PNB,  
Agana, Guam 96910.

A handwritten signature in black ink, appearing to read "David A. Loria", with a large, sweeping flourish above the name.